

deemed necessary, without regard to section 5 of title 41; (g) supplies and materials; (h) equipment; (i) purchase, hire, operation, maintenance, and repair of aircraft, motor vehicles (including passenger-carrying vehicles), boats, and research vessels.

(Aug. 9, 1950, ch. 653, § 14, 64 Stat. 425.)

REFERENCES IN TEXT

The civil-service laws, referred to in text, are set forth in Title 5, Government Organization and Employees. See, particularly, section 3301 et seq. of Title 5.

CODIFICATION

In cl. (a), “chapter 51 and subchapter III of chapter 53 of title 5” substituted for “the Classification Act of 1923, as amended” on authority of Pub. L. 89-554, § 7(b), Sept. 6, 1966, 80 Stat. 631 (the first section of which enacted Title 5, Government Organization and Employees), and of section 1106(a) of act Oct. 28, 1949, ch. 782, title XI, 63 Stat. 972, which provided that references in other laws to the Classification Act of 1923 shall be considered to mean the Classification Act of 1949.

In cl. (b), “subchapter I of chapter 57 of title 5 and section 5731(a) of title 5” substituted for “the Travel Expense Act of 1949 and section 10 of the Act of March 3, 1933 (U.S.C., title 5, sec. 73b)” on authority of Pub. L. 89-554, § 7(b), Sept. 6, 1966, 80 Stat. 631, the first section of which enacted Title 5.

In cl. (e), “section 501 of title 44” substituted for “section 11 of the Act of March 1, 1919 (U.S.C., title 44, sec. 111)” on authority of Pub. L. 90-620, § 2(b), Oct. 22, 1968, 82 Stat. 1305, the first section of which enacted Title 44, Public Printing and Documents.

CHAPTER 14A—WHALE CONSERVATION AND PROTECTION

Sec.

- 917. Congressional findings.
- 917a. Study by Secretary of Commerce; report to Congress.
- 917b. Cooperation of other Federal agencies.
- 917c. Negotiations with Mexico and Canada.
- 917d. Authorization of appropriations.

§ 917. Congressional findings

The Congress finds that—

(1) whales are a unique resource of great aesthetic and scientific interest to mankind and are a vital part of the marine ecosystem;

(2) whales have been overexploited by man for many years, severely reducing several species and endangering others;

(3) the United States has extended its authority and responsibility to conserve and protect all marine mammals, including whales, out to a two hundred nautical mile limit by enactment of the Magnuson Fishery Conservation and Management Act [16 U.S.C. 1801 et seq.];

(4) the conservation and protection of certain species of whales, including the California gray, bowhead, sperm, and killer whale, are of particular interest to citizens of the United States;

(5) increased ocean activity of all types may threaten the whale stocks found within the two hundred-mile jurisdiction of the United States and added protection of such stocks may be necessary;

(6) there is inadequate knowledge of the ecology, habitat, requirements, and population levels and dynamics of all whales found

in waters subject to the jurisdiction of the United States; and

(7) further study of such matters is required in order for the United States to carry out its responsibilities for the conservation and protection of marine mammals.

(Pub. L. 94-532, § 2, Oct. 17, 1976, 90 Stat. 2491; Pub. L. 96-561, title II, § 238(b), Dec. 22, 1980, 94 Stat. 3300.)

REFERENCES IN TEXT

The Magnuson Fishery Conservation and Management Act, referred to in par. (3), is Pub. L. 94-265, Apr. 13, 1976, 90 Stat. 331, as amended, which is classified generally to chapter 38 (§ 1801 et seq.) of this title. For complete classification of this Act to the Code, see Short Title note set out under section 1801 of this title and Tables.

AMENDMENTS

1980—Par. (3). Pub. L. 96-561 substituted “Magnuson Fishery Conservation and Management Act” for “Fishery Conservation and Management Act of 1976”.

EFFECTIVE DATE OF 1980 AMENDMENT

Amendment by Pub. L. 96-561 effective 15 days after Dec. 22, 1980, see section 238 of Pub. L. 96-561, set out as a Short Title note set out under section 1801 of this title.

SHORT TITLE

Section 1 of Pub. L. 94-532 provided: “That this Act [enacting this chapter] may be cited as the ‘Whale Conservation and Protection Study Act’.”

§ 917a. Study by Secretary of Commerce; report to Congress

The Secretary of Commerce, in consultation with the Marine Mammal Commission and the coastal States, shall undertake comprehensive studies of all whales found in waters subject to the jurisdiction of the United States, including the fishery conservation zone as defined in section 1802(8)¹ of this title. Such studies shall take into consideration all relevant factors regarding (1) the conservation and protection of all such whales, (2) the distribution, migration patterns, and population dynamics of these mammals, and (3) the effects on all such whales of habitat destruction, disease, pesticides, and other chemicals, disruption of migration patterns, and food shortages for the purpose of developing adequate and effective measures, including appropriate laws and regulations, to conserve and protect such mammals. The Secretary of Commerce shall report on such studies, together with such recommendations as he deems appropriate, including suggested legislation, to the Congress no later than January 1, 1980.

(Pub. L. 94-532, § 3, Oct. 17, 1976, 90 Stat. 2491.)

REFERENCES IN TEXT

Section 1802(8) of this title, referred to in text, which defined “fishery conservation zone”, was repealed and section 1802(6) of this title, defining “exclusive economic zone”, was added by Pub. L. 99-659, title I, § 101(a), Nov. 14, 1986, 100 Stat. 3706.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 917b of this title.

¹ See References in Text note below.

§ 917b. Cooperation of other Federal agencies

All Federal agencies shall cooperate, to the fullest extent possible, with the Secretary of Commerce in preparing the study and recommendations required by section 917a of this title.

(Pub. L. 94-532, § 4, Oct. 17, 1976, 90 Stat. 2492.)

§ 917c. Negotiations with Mexico and Canada

The Secretary of Commerce, through the Secretary of State, shall immediately initiate negotiations for the purpose of developing appropriate bilateral agreements with Mexico and Canada for the protection and conservation of whales.

(Pub. L. 94-532, § 5, Oct. 17, 1976, 90 Stat. 2492.)

§ 917d. Authorization of appropriations

For the purpose of carrying out the provisions of this chapter, there is hereby authorized to be appropriated a sum not to exceed \$1,000,000 for fiscal years 1978 and 1979.

(Pub. L. 94-532, § 6, Oct. 17, 1976, 90 Stat. 2492.)

CHAPTER 15—PREDATORY SEA LAMPREYS IN THE GREAT LAKES

§§ 921 to 923. Omitted**CODIFICATION**

Section 921, acts Aug. 8, 1946, ch. 879, § 1, 60 Stat. 930; Aug. 18, 1949, ch. 478, § 3, 63 Stat. 616; July 30, 1951, ch. 256, 65 Stat. 131; July 1, 1952, ch. 537, 66 Stat. 314, directed the Director of the Fish and Wildlife Service to investigate the abundance and distribution of sea lampreys, required a report to the Congress not later than Dec. 31, 1950, and authorized appropriations through the fiscal year ending June 30, 1953.

Sections 922, 923, act Aug. 8, 1946, ch. 879, §§ 2, 3, 60 Stat. 930, 931, which related to cooperation between Federal, State, and local agencies and the annual cost of the program, were omitted by act Aug. 18, 1949, ch. 478, § 3, 63 Stat. 616, which amended act Aug. 8, 1946.

CHAPTER 15A—GREAT LAKES FISHERIES

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§ 931. Definitions

As used in this chapter, the term—

(a) “Convention” means the Convention on Great Lakes Fisheries between the United States of America and Canada signed at Washington, September 10, 1954;

(b) “Commission” means the Great Lakes Fishery Commission provided for by article II of the convention;

(c) “United States Section” means the United States Commissioners on the Commission;

(d) “Great Lakes State” means any of the following States: Illinois, Indiana, Michigan, Minnesota, New York, Ohio, Pennsylvania, or Wisconsin;

(e) “Great Lakes” means any of the following bodies of water: Lake Ontario (including the Saint Lawrence River from Lake Ontario to the forty-fifth parallel of latitude), Lake Erie, Lake Huron (including Lake Saint Clair), Lake Michigan, or Lake Superior.

(June 4, 1956, ch. 358, § 2, 70 Stat. 242.)

SHORT TITLE

Section 1 of act June 4, 1956, provided: “That this Act [enacting this chapter] may be cited as the ‘Great Lakes Fishery Act of 1956’.”

SEPARABILITY

Section 14 of act June 4, 1956, provided that: “If any provision of this Act [this chapter] or the application of such provision to any circumstances or persons shall be held invalid, the validity of the remainder of the Act and the applicability of such provision to other circumstances or persons shall not be affected thereby”.

§ 932. Commissioners; appointment, number, and compensation; term of office; vacancy

(a)(1) The United States shall be represented on the Commission by 4 Commissioners who shall be appointed by the President and who may not receive compensation for service as Commissioners. Of the Commissioners—

(A) 1 shall be an official of the United States Government; and

(B) 3 shall be individuals who reside in different Great Lakes States and who are knowledgeable regarding the fisheries of the Great Lakes, except that 1 of them must also be an official of¹ Great Lakes State.

(2) The President shall appoint an alternate Commissioner who shall perform the duties of a Commissioner—

(A) until a vacancy referred to in subsection (b)(3) of this section is filled; and

(B) in the event of the absence of a Commissioner from any meeting of the United States Section or the Commission.

(b)(1) Except as provided in paragraph (2), the term of office of Commissioners appointed under subsection (a)(1)(B) of this section is 6 years.

(2) Of the Commissioners first appointed under subsection (a)(1)(B) of this section after November 14, 1986, 1 shall be appointed for a term of 2 years, 1 shall be appointed for a term of 4 years, and 1 shall be appointed for a term of 6 years.

(3) Whenever a vacancy occurs among Commissioners appointed under subsection (a)(1)(B) of this section, the President shall appoint an individual to fill that vacancy for the remainder of the applicable term.

¹ So in original. Probably should be followed by “a”.